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C O N F I D E N T I A L SECTION 01 OF 02 KATHMANDU 000074

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STATE FOR SA/INS  
LONDON FOR POL - GURNEY  
NSC FOR MILLARD

E.O. 12958: DECL: 01/08/2014  
TAGS: PREL PGOV PREF NP SAARC  
SUBJECT: NEPAL: DE FACTO FOREIGN MINISTER ON SAARC SUMMIT,  
BHUTANESE REFUGEES, AND RELATIONS WITH EU

REF: A. 03 KATHMANDU 2501 (NOTAL)  
1B. KATHMANDU 0055 (NOTAL)  
1C. 03 KATHMANDU 2491 (NOTAL)

Classified By: AMB. MICHAEL E. MALINOWSKI. REASON: 1.5 (B,D).

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SUMMARY  
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11. (C) In a January 9 meeting with the Ambassador, de facto Foreign Minister Amb. Bekh Bahadur Thapa discussed the SAARC Summit, recent problems in beginning the repatriation of Bhutanese refugees, and a possible EU demarche criticizing the Government of Nepal's (GON) failure to restore peace and democracy. Thapa said he believes the presence of smaller countries at the SAARC Summit provided welcome "space" that helped Pakistan and India move forward on bilateral issues. Following the December 22 melee at a Bhutanese refugee camp (Ref A), Thapa said he would seek written confirmation from the Royal Government of Bhutan (RGOB) of its earlier oral commitment to provide a conducive environment for repatriated Bhutanese refugees. He is considering traveling to Brussels to discuss GON relations with the EU, following indications that EU governments may deliver a joint demarche chastising the GON for the continuing hiatus in multi-party democracy.  
End summary.

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SAARC: SMALLER COUNTRIES PROVIDE "SPACE"  
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12. (C) Ambassador-at-Large and de facto Foreign Minister Bekh Bahadur Thapa opened a January 9 meeting with the Ambassador by expressing satisfaction that the recently concluded SAARC Summit helped provide a vehicle for improved communication between India and Pakistan. SAARC's regional context made it easier for the two neighbors to meet, Thapa said, while the presence of the smaller South Asian nations gave the two regional giants some welcome "space" in which to begin addressing their bilateral issues. At one particularly difficult point during the bilateral discussion at the Summit, Thapa said the Indian and Pakistani Foreign Ministers invited him in, in his capacity as Ministerial Chair of the Summit. He felt both India and Pakistan wanted the facilitation and mediating presence of other countries to give these initial discussions a regional blessing or gloss. The successful Summit has made the future scenario for SAARC much brighter, he concluded.

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BHUTANESE REFUGEES: PICKING UP THE PIECES  
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13. (C) Following the December 22 melee at Khudunabari refugee camp (Ref A), Thapa said he did not know what to expect from the Royal Government of Bhutan (RGOB). (Note: Upon being told that certain categories of refugees could have only one employed member per family and that certain others would be held in police custody apart from their families, disgruntled refugees began pelting RGOB representatives with stones. The RGOB representatives left Nepal almost immediately, and further efforts toward repatriation remain stalled. End note.) Government of Nepal (GON) representatives on the Joint Verification Team at the camp that day had the impression that the RGOB representatives were deliberately trying to discourage the refugees from returning to Bhutan, Thapa reported. He speculated that the RGOB might use the incident as a pretext to discontinue repatriation efforts. Nonetheless, "one more time we will give the benefit of the doubt" that the RGOB is sincere in trying to resolve the refugee problem, Thapa continued. In previous bilateral discussions on the issue, the RGOB had given the GON verbal commitments that it would create a conducive environment for repatriation, i.e., promising that refugees would be given full social benefits, including employment opportunities, and would not face open-ended confinement to transition camps. The conditions described by RGOB representatives to the refugees on December 22 were "pretty contrary to those claims," Thapa observed. The GON will now request that the RGOB articulate in writing

its earlier oral commitments. Nepali MFA representatives will also talk with the refugees, urging them not to resort to violence in the future to express their frustrations.

14. (C) Thapa added that he had recently received a letter from Jean-Marie Fakhouri, UNHCR Director for Asia, informing the GON that it will be difficult for the UNHCR to support repatriation without being permitted more direct involvement in the process. Thapa emphasized that the GON has always supported third-party involvement and monitoring of the repatriation process, but had been forced by the RGOB's consistent opposition to UNHCR involvement to agree to exclude the organization.

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EU "DISCOMFORT" AT POLITICAL DEVELOPMENTS  
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15. (C) Thapa reported that the Irish Ambassador (resident in New Delhi) had called on him earlier in the week to communicate EU "discomfort" at recent political developments in Nepal. Thapa said that the Ambassador made an oblique reference to a possible joint demarche by EU Chiefs of Mission to the GON, the political parties, and, indirectly, to the Maoists. According to Thapa, the Irish Ambassador indicated that EU governments believe that King Gyanendra's attempt to reconcile with the political parties (Ref B) will fail. Thapa said he felt his own sense of discomfort that EU governments had apparently prejudged the outcome of the King's initiative before it had even started. Noting that he was considering traveling to Brussels to lay out the GON's case, he asked Ambassador Malinowski if he had heard similar comments from his European counterparts in Kathmandu. The Ambassador said he had heard indirectly that at least one government may propose postponing the upcoming donor conference because of human rights concerns and the absence of a democratically elected government. He lamented that some European governments were quick to condemn the GON, but were comparatively silent on Maoist abuses. He noted that Maoist leader Prachanda had told Madhav Nepal, General Secretary of the Communist Party of Nepal - United Marxist

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Leninist (UML), in a November 20 meeting in India that the Maoists perceive the Europeans and Scandinavians as "sympathetic" to the insurgency (Ref C).

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COMMENT  
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16. (C) While the King's initiative may well fail for a variety of reasons, our discussions with political party leaders (Ref B) indicate that most are still weighing the King's gesture, with some--like Madhav Nepal and Pashupati Rana--attempting to frame at least part of the consensus the King requested. If Amb. Thapa's description of the EU position is correct, we consider it unfortunate that our European colleagues have apparently decided to make up the parties' minds for them and condemn this effort before it has a chance to succeed. This is the first time that we have heard a GON official at any level question so bluntly the RGOB's sincerity in resolving the refugee issue. The GON's unwillingness to rely any longer solely on the "good faith" and verbal representations of the RGOB about repatriation may prove a substantial stumbling block to further bilateral progress on this matter.

MALINOWSKI